

REMARKS/ARGUMENTS

The rejections presented in the Office action dated May 26, 2010 (hereinafter Office action), have been considered. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

With respect to the § 112, second paragraph, rejection of claims 23-25, the claims have been amended to depend from apparatus claim 22 in accordance with the Examiner's observation. Also, claims 18 and 22 have been amended to correct a typographical error. None of these changes introduces new matter, and the changes to claims 23-25 are believed to overcome the rejection. Applicant accordingly requests that the rejection be withdrawn.

With particular respect to claims 18-22, Applicant notes that the claims are not included in any statement of rejection. MPEP § 707.07(d) indicates that where a claim is refused the word "reject" must be used and the statutory basis for any ground of rejection should be designated by an express reference in the opening sentence of each ground of rejection. It appears that these claims (along with claims 23-25) were intended to be rejected based on § 102(b) in view of U.S. Publication No. 2002/0063732 by Mansikkaniemi *et al.* (hereinafter "Mansikkaniemi"). If this was not the Examiner's intention, Applicant requests clarification, an opportunity to respond, and that any future rejections comply with MPEP § 707.07(d).

Applicant respectfully traverses the § 102(b) rejection based upon the teachings of Mansikkaniemi because Mansikkaniemi has not been shown to teach or suggest at least detecting a text pattern in the one or more calendar notes and associating the calendar notes with one or more calendar profiles in a terminal on the basis of the detected text patterns, as claimed in each of the independent claims. The cited paragraph [0048] of Mansikkaniemi does not mention detecting a text pattern or associating calendar notes with calendar profiles on the basis of detected text patterns. As explained previously, Mansikkaniemi does not provide details of how the asserted family/individual calendar designation of a new event is effected. Without a presentation of correspondence to each of the claimed limitations, the § 102 rejection is improper.

To anticipate a claim the asserted reference must teach every element of the claim. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The Federal Circuit also recently held that “Because the hallmark of anticipation is prior invention, the prior art reference—in order to anticipate under 35 U.S.C. § 102—must not only disclose all elements of the claim within the four corners of the document, but must also disclose those elements ‘arranged as in the claim.’” (*Net Moneyin, Inc. v. Verisign, Inc.*, 545 F.3d 1359, 2008 WL 4614511 (Fed. Cir. 2008) quoting *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 1548 (Fed. Cir. 1983)). Therefore, all claim elements and their limitations, must be found in the prior art reference to maintain the rejection based on 35 U.S.C. § 102. Applicant respectfully submits that Mansikkaniemi has not been shown to teach every element of independent claims 1, 5, 10, and 14 in the requisite detail and therefore fails to anticipate claims 1, 4, 5, 8-10, 13, 14, and 18-25. Applicant accordingly requests that the rejection be withdrawn.

In addition, the assertions of inherency regarding detecting a text pattern in one or more calendar notes by Mansikkaniemi’s designation of a family/individual calendar are unsupported and incorrect. MPEP § 2112 states that “To establish inherency, the extrinsic evidence ‘must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.’ *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999).” The Office action asserts that the designation of a family or individual calendar in Mansikkaniemi would involve an identifier. However, there is no teaching or suggestion that such designation would use a text pattern. Rather, the designation could be made by checking a box or radio button or through selection of a color that designates a family or individual calendar. Thus, the designation of which calendar to list a new event does not inherently include detecting a text pattern and associating a calendar note with a profile based on the

detected text pattern. As Mansikkaniemi makes no mention of the designation involving the detection of a text pattern in a calendar note, the assertion that Mansikkaniemi would correspond to the claimed detection and use thereof is unsupported and incorrect. Thus, the requisite evidence to support the assertions of inherency has not been presented, rendering the assertions insufficient to provide correspondence to the claimed limitations. Without a presentation of correspondence to each of the claimed limitations, the rejection is improper, and Applicant requests that the rejection be withdrawn.

Dependent claims 4, 8, 9, 13, and 18-25 depend from independent claims 1, 5, and 10, respectively, and also stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Mansikkaniemi. While Applicant does not acquiesce with the particular rejections to these dependent claims, these rejections are also improper for the reasons discussed above in connection with the independent claims. These dependent claims include all of the limitations of their respective base claims and any intervening claims and recite additional features which further distinguish these claims from the cited reference. Therefore, the rejection of dependent claims 4, 8, 9, 13, and 18-25 is improper, and Applicant requests that the rejection be withdrawn.

With particular respect to the rejection of dependent claim 18, Applicant further traverses because the asserted teachings have not been shown to correspond to the claimed limitations. Claim 18 requires that generating calendar content to be shared includes modifying the calendar notes associated with the shared calendar content. Notably, the claimed generation is performed by the terminal, not a user. Thus, the assertion that a user may create and edit events does not provide correspondence to the claimed modification of calendar notes by the terminal. Without a presentation of correspondence to each of the claimed limitations, the rejection is improper, and Applicant requests that the rejection be withdrawn.

With particular respect to the rejection of dependent claim 19, Applicant further traverses because the asserted teachings have not been shown to correspond to the claimed limitations. Claim 19 requires that the calendar profile comprises a work profile, and modifying the content comprises removing non-work-related personal information from the

content. The assertion that Mansikkaniemi's family calendar would correspond to the claimed work profile does not provide any correspondence to the claimed removal of personal information from calendar content generated for the work profile. Without a presentation of correspondence to each of the claimed limitations, the rejection is improper, and Applicant requests that the rejection be withdrawn.

With particular respect to the rejection of dependent claim 20, Applicant further traverses because the asserted teachings have not been shown to correspond to the claimed limitations. Claim 20 requires that modifying calendar notes comprises obscuring the calendar notes associated with shared content while retaining indicators of the times of the events associated with the obscured calendar notes. The assertion that any member of the family can look at the family calendar fails to provide correspondence to the claimed obstruction of calendar notes associated with shared content. Without a presentation of correspondence to each of the claimed limitations, the rejection is improper, and Applicant requests that the rejection be withdrawn.

With particular respect to the rejection of dependent claim 21, Applicant further traverses because the asserted teachings have not been shown to correspond to the claimed limitations. Claim 21 requires that modifying the calendar notes comprises providing a modified note to describe user availability in the context of both the calendar profile and on the basis of times of day associated with the calendar entries. Again, the claimed modification is performed by the terminal, not a user. Thus, the assertion that a user may create and edit events does not provide correspondence to the claimed modification of calendar notes by the terminal. Without a presentation of correspondence to each of the claimed limitations, the rejection is improper, and Applicant requests that the rejection be withdrawn.

Authorization is given to charge Deposit Account No. 50-3581 (IHN.080.WUS) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the undersigned attorney of record invites the Examiner to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

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